

AMENDED IN ASSEMBLY JUNE 26, 2007

AMENDED IN SENATE APRIL 18, 2007

AMENDED IN SENATE MARCH 27, 2007

**SENATE BILL**

**No. 473**

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**Introduced by Senator Cox**

February 21, 2007

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An act to add Section 11006 to the Government Code, relating to state agencies.

LEGISLATIVE COUNSEL'S DIGEST

SB 473, as amended, Cox. State agencies: fingerprinting vendors.

Existing law requires the Department of Justice to establish and implement a certification program in the Department of Justice for processing fingerprint-based criminal background clearances on individuals who roll fingerprints. Existing law requires the Department of Justice to work with applicant regulatory entities to improve and make more efficient the criminal offender record information request process related to employment, licensing, and certification background investigations.

This bill would prohibit a state agency that requires fingerprinting for any non-law-enforcement purpose from requiring ~~or directing~~ the use of specified Live Scan fingerprinting service providers certified by the Department of Justice to roll fingerprint impressions. The bill also would authorize state agencies to identify on their Web sites a list of Live Scan fingerprinting service providers certified by the Department of Justice, and if a state agency chooses to do so, it would be required to provide a link to the Department of Justice's Web site that lists all certified Live Scan fingerprinting service providers.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 11006 is added to the Government Code,  
2 to read:  
3 11006. (a) Notwithstanding any other provision of law, ~~no a~~  
4 state agency that requires fingerprinting for any  
5 non-law-enforcement purpose shall ~~require or direct~~ *not require*  
6 the use of specified Live Scan fingerprinting service providers  
7 certified by the Department of Justice to roll fingerprint  
8 impressions, as provided for under Section 11102.1 of the Penal  
9 Code.  
10 (b) A state agency may identify on its Web site a list of Live  
11 Scan fingerprinting service providers certified by the Department  
12 of Justice. If a state agency does identify on its Web site a list of  
13 Live Scan fingerprinting service providers certified by the  
14 Department of Justice, then it shall provide a link to the Department  
15 of Justice's Web site that lists all certified Live Scan fingerprinting  
16 service providers.  
17 SEC. 2. (a) *The Legislature finds and declares that the*  
18 *utilization of all eligible vendors provides the greatest access for*  
19 *consumers to obtain Live Scan fingerprint services.*  
20 (b) *Therefore, it is the intent of the Legislature in enacting this*  
21 *act to do both of the following:*  
22 (1) *Encourage all state agencies that require Live Scans to*  
23 *encourage their licensees and constituents to obtain Live Scans*  
24 *at the earliest possible time in their approval process to avoid*  
25 *unnecessary delays.*  
26 (2) *Discourage state agencies from providing any Live Scan*  
27 *vendor with a competitive advantage over any other Live Scan*  
28 *provider.*